

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PRESTON WILSON,

Plaintiff,

v.

GERARDO PONCE, *et al.*,

Defendants.

CASE NO. C21-0849-JCC

ORDER

This matter comes before the Court on Plaintiff's motion for leave to amend his complaint to join an additional defendant (Dkt. No. 11). Having thoroughly considered the briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained below.

On June 24, 2021, Defendants removed Plaintiff's negligence complaint from King County Superior Court (Dkt. No. 1), which Plaintiff now seeks leave to amend. (*See* Dkt. No. 11.) "The court should freely give leave to amend when justice so requires." Fed. R. Civ. P. 15(a)(2). Plaintiff seeks to add EP Delivery Service, which employs Defendant Gerardo Ponce, as a defendant; Plaintiff was unaware that EP Delivery Service employed Ponce when Plaintiff initially filed suit. (*See* Dkt. No. 11 at 2.) Defendant Penske confirms that counsel for Penske later informed Plaintiff of this information. (Dkt. No. 12 at 2.) Based on both parties' briefing, the Court believes that justice requires granting leave to amend.

1 For the foregoing reasons, Plaintiff's motion for leave to amend his complaint to add EP
2 Delivery Service as a defendant (Dkt. No. 11) is GRANTED. Within 14 days of this order, Plaintiff
3 will file a clean version of the proposed Amended Complaint submitted as Exhibit 1 to its counsel's
4 declaration in support of Plaintiff's motion for leave to amend. (Dkt. No. 11-1.)

5 DATED this 10th day of February 2022.

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9 John C. Coughenour
10 UNITED STATES DISTRICT JUDGE
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